

**BEST AVAILABLE COPY**

PATENT  
UTSD:411

## D E C L A R A T I O N

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **EXPRESSI N LIBRARY IMMUNIZATION**, the Specification of which:

is attached hereto.

X was filed on April 7, 1995 as Application Serial No. 08/421,155.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

N/A

(Applic.)

(Filing Date)

(Status)

I hereby direct that all correspondence and telephone calls be addressed to Barbara S. Kitchell, Arnold, White & Durkee, P.O. Box 4433, Houston, Texas 77210 (512) 418-3000.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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(First) (Initial) (Last)

Inventor's Signature: Michael A. Barry

Date: 6/13/95 Country of Citizenship: UNITED STATES

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(First) (Initial) (Last)

Inventor's Signature: Wayne C. Lai

Date: 6/13/95 Country of Citizenship: US

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Post Office Address:  
(if different from  
residence address)

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

STEPHEN A. JOHNSTON, ET AL.

Serial No.: 09/448,330

Filed: NOVEMBER 23, 1999

For: EXPRESSION LIBRARY  
IMMUNIZATION

Group Art Unit: 1648

Examiner: NOT KNOWN

Atty. Dkt. No.: UTSD:681

**REVOCATION AND SUBSTITUTE POWER OF ATTORNEY**  
**PURSUANT TO 37 C.F.R. §§ 3.71 and 3.73(b)**  
**AND CHANGE OF CORRESPONDENCE ADDRESS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth on the attached Power of Attorney, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

CERTIFICATE OF MAILING  
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below:

4/19/01  
Date

Steve L. Highlander

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**REVOCATION AND SUBSTITUTE POWER OF ATTORNEY**  
**PURSUANT TO 37 C.F.R. §§ 3.71 and 3.73(b)**  
**AND CHANGE OF CORRESPONDENCE ADDRESS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Cullen M. Godfrey, Vice Chancellor and General Counsel, certify that the BOARD OF REGENTS, THE UNIVERSITY OF TEXAS SYSTEM, is the assignee of the entire interest in each of the below-referenced U.S. patent applications. Documentary evidence of chain of title from the original owner to the BOARD OF REGENTS, THE UNIVERSITY OF TEXAS SYSTEM, has been filed with and recorded by the United States Patent and Trademark Office at each of the below-referenced Reel and Frame numbers.

The evidentiary documents referred to in the instant Revocation and Power of Attorney have been reviewed by the undersigned; and it is certified that, to the best of the knowledge and belief of the BOARD OF REGENTS, THE UNIVERSITY OF TEXAS SYSTEM, title is in the BOARD OF REGENTS, THE UNIVERSITY OF TEXAS SYSTEM.

Alias	Serial No. or Patent No.	Filing Date or Issue Date	Recordation Date	Reel/Frame
UTSD:022	4,455,296	06/19/84	03/12/82	003977/0542
UTSD:028	4,530,974	07/23/85	07/13/82	004030/0587
UTSD:045	4,740,467	04/26/88	02/15/85	004376/0789
UTSD:048	4,745,060	05/17/88	03/18/85	004420/0956

<b>Alias</b>	<b>Serial No. or Patent No.</b>	<b>Filing Date or Issue Date</b>	<b>Recordation Date</b>	<b>Reel/Frame</b>
UTSD:055	4,772,467	09/20/88	12/11/85	004510/0251
UTSD:057	4,726,952	02/23/88	05/15/86	004562/0904
UTSD:060	5,017,670	05/21/91	11/27/87	004940/0185
UTSD:061	4,868,118	09/19/89	11/17/86	006540/0507
UTSD:063	4,966,837	10/30/90	12/22/86	004694/0489
UTSD:066	4,851,221	07/25/89	12/11/85	004510/0251
UTSD:075	4,888,182	12/19/89	04/23/87	004712/0980
UTSD:077	4,935,363	06/19/90	05/29/87	004718/0891
UTSD:079	5,378,603	01/03/95	06/15/87	004752/0181
UTSD:085	5,038,787	08/13/91	08/10/88	004927/0647
UTSD:087	4,904,478	02/27/90	12/11/87	004805/0409
UTSD:105	4,888,555	12/19/89	09/22/89	005148/0102
UTSD:108	5,047,401	09/10/91	11/28/88	004982/0663
UTSD:110	4,985,034	01/15/91	06/01/89	005089/0377
UTSD:113	5,013,661	05/07/91	04/24/89	005066/0658
UTSD:118	5,075,499	12/24/91	01/23/89	005049/0001
UTSD:120	5,028,592	07/02/91	10/03/88	004958/0393
UTSD:154	5,256,545	10/26/93	12/18/89	005205/0954
UTSD:171	5,236,694	08/17/93	02/21/90	005247/0952
UTSD:174	4,966,776	10/30/90	10/23/89	005170/0218
UTSD:187	5,281,821	01/25/94	10/29/91	005901/0980
UTSD:188	5,198,339	03/30/93	09/18/90	005464/0208
UTSD:196	5,197,475	03/30/93	06/18/91	005740/0967

<b>Alias</b>	<b>Serial No. or Patent No.</b>	<b>Filing Date or Issue Date</b>	<b>Recordation Date</b>	<b>Reel/Frame</b>
UTSD:202	5,413,917	05/09/95	09/04/90	005445/0734
UTSD:204	5,215,910	06/01/93	05/29/87	004718/0891
UTSD:209	5,240,831	08/31/93	03/28/91	005718/0377
UTSD:217	5,272,070	12/21/93	05/03/91	005698/0844
UTSD:218	5,141,851	08/25/92	01/11/91	005577/0284
UTSD:234	5,489,742	02/06/96	08/21/91	005844/0995
UTSD:241	5,304,474	04/19/94	04/24/89	005066/0699
UTSD:244	5,157,023	10/20/92	10/03/88	004958/0393
UTSD:251	5,356,778	10/18/94	09/18/90	005464/0208
UTSD:260	5,422,262	06/06/95	01/10/92	005967/0302
UTSD:261	5,270,168	12/14/93	01/27/92	005984/0948
UTSD:263	5,597,895	01/28/97	10/17/94	007136/0584
UTSD:267	5,427,940	06/27/95	07/11/91	005792/0265
UTSD:277	5,228,445	07/20/93	02/07/92	006061/0515
UTSD:281	5,294,443	03/15/94	05/26/92	006153/0233
UTSD:288	5,532,142	07/02/96	05/11/93	006537/0203
UTSD:291-1	5,583,908	12/10/96	07/30/93	006765/0394
UTSD:292	5,420,027	05/30/95	08/17/92	006239/0206
UTSD:293-1	08/353,940	12/09/94	07/06/92	006212/0246
UTSD:297	5,420,245	05/30/95	02/24/92	006029/0487
UTSD:299	5,334,839	08/02/94	09/17/93	006689/0532
UTSD:305	5,744,327	04/28/98	06/23/94	007033/0095
UTSD:307	6,083,917	07/04/00	10/26/92	006358/0686

<b>Alias</b>	<b>Serial No. or Patent No.</b>	<b>Filing Date or Issue Date</b>	<b>Recordation Date</b>	<b>Reel/Frame</b>
UTSD:316	5,366,874	11/22/94	12/14/92	006383/0572
UTSD:317	6,004,759	12/21/99	04/16/90	005282/0815
UTSD:318	5,350,842	09/27/94	01/02/92	006312/0887
UTSD:324	07/968,861	10/29/92	01/11/93	006375/0842
UTSD:325	08/084,742	06/28/93	08/30/93	006668/0947
UTSD:333	08/111,075	08/23/93	10/25/93	006743/0955
UTSD:335-1	5,925,548	07/20/99	07/11/94	007050/0267
UTSD:340	5,346,888	09/13/94	03/14/91	005630/0523
UTSD:341	5,397,562	03/14/95	12/16/93	006890/0378
UTSD:345	5,762,918	06/09/98	12/12/94	007252/0601
UTSD:346	5,863,778	01/26/99	06/28/93	006595/0277
UTSD:347	5,498,696	03/12/96	08/02/93	006633/0807
UTSD:351	5,446,143	08/29/95	11/16/93	006761/0349
UTSD:353	6,165,745	12/26/00	04/17/94	007565/0895
UTSD:355	5,688,511	11/18/97	01/17/95	007342/0637
UTSD:360	4,977,086	12/11/90	11/26/85	004490/0133
UTSD:366	5,422,094	06/06/95	12/16/93	006885/0174
UTSD:372	5,527,690	06/18/96	11/26/93	006768/0968
UTSD:378	5,578,706	11/26/96	02/07/94	006852/0700
UTSD:379	5,686,072	11/11/97	04/25/94	006960/0902
UTSD:380	5,580,562	12/03/96	05/26/92	006153/0233
UTSD:383	5,500,340	03/19/96	05/26/92	006153/0233
UTSD:383-1	5,916,564	06/29/99	05/26/92	006153/0233

<b>Alias</b>	<b>Serial No. or Patent No.</b>	<b>Filing Date or Issue Date</b>	<b>Recordation Date</b>	<b>Reel/Frame</b>
UTSD:384	08/403,787	08/07/95	05/08/95	007481/0377
UTSD:390	08/224,595	04/05/94	06/13/94	007034/0074
UTSD:392	08/157,479	11/24/93	01/24/94	006833/0824
UTSD:394	5,767,072	06/16/98	10/16/89	005167/0297
UTSD:398	5,263,964	11/23/93	03/21/94	006903/0735
UTSD:399	5,443,478	08/22/95	03/03/94	006433/0242
UTSD:400	5,527,338	06/18/96	03/10/94	006898/0547
UTSD:401	5,677,143	10/14/97	08/12/94	007095/0815
UTSD:402	5,811,233	09/22/98	08/19/94	007109/0289
UTSD:404	5,578,085	11/26/96	03/04/94	006921/0869
UTSD:405	5,681,934	10/28/97	07/25/94	007067/0708
UTSD:411	5,703,057	12/30/97	06/26/95	007524/0514
UTSD:412	08/447,217	05/22/95	05/22/95	007593/0382
UTSD:415	5,811,266	09/22/98	06/23/94	007033/0095
UTSD:415-1	5,747,325	05/05/98	06/23/94	007033/0095
UTSD:417	5,994,108	11/30/99	10/17/94	007350/0941
UTSD:418	5,851,817	12/22/98	09/06/94	007136/0584
UTSD:422	5,686,264	11/11/97	10/17/94	009350/0941
UTSD:423	5,668,112	09/16/97	04/24/89	005066/0699
UTSD:424	5,854,067	12/29/98	UT 05/06/96	UT 007924/0903
			Betagene 05/06/96	Betagene 007925/0014
UTSD:426	6,087,129	07/11/00	05/07/96	007916/0763
UTSD:427	5,770,402	06/23/98	06/09/95	007524/0238

<b>Alias</b>	<b>Serial No. or Patent No.</b>	<b>Filing Date or Issue Date</b>	<b>Recordation Date</b>	<b>Reel/Frame</b>
UTSD:431	5,703,047	12/30/97	05/30/95	007510/0211
UTSD:432	5,962,243	10/05/99	06/30/95	007523/0567
UTSD:436	08/405,626	03/15/95	05/15/95	007478/0811
UTSD:437	5,616,458	04/01/97	09/11/95	007628/0684
UTSD:440	5,741,777	04/21/98	02/20/96	007897/0615
UTSD:446-1	6,159,680	12/12/00	10/30/95	007706/0281
UTSD:447	5,993,799	11/30/99	06/23/94	007033/0095
UTSD:448	5,792,656	08/11/98	06/23/94	007033/0095
UTSD:458	5,679,521	10/21/97	01/10/92	005967/0302
UTSD:470-1	08/546,934	10/23/95	01/22/96	007783/0268
UTSD:471	08/293,091	08/19/94	06/23/94	007033/0095
UTSD:481	5,891,717	04/06/99	07/29/98	009385/0243
UTSD:483	08/811,463	03/03/97	12/16/97	008863/0692
UTSD:484	5,891,631	04/06/99	11/26/93	006768/0968
UTSD:513	6,194,176	02/27/01	Betagene 06/09/97	Betagene 008556/0868
			UT 06/23/97	UT 008577/0012
UTSD:514	6,110,707	08/29/00	09/29/97	008728/0650
UTSD:521	09/112,041	07/08/98	09/22/98	009512/0339
UTSD:533	5,925,062	07/02/99	03/03/94	006433/0242
UTSD:544	09/261,269	03/03/99	06/25/99	010054/0023
UTSD:552	09/118,338	07/16/98	10/07/98	009528/0142
UTSD:553	09/339,352	06/23/99	08/23/99	010190/0538

<b>Alias</b>	<b>Serial No. or Patent No.</b>	<b>Filing Date or Issue Date</b>	<b>Recordation Date</b>	<b>Reel/Frame</b>
UTSD:555	09/361,918	07/27/99	11/04/99	010357/0704
UTSD:560	6,171,856	01/09/01	Betagene 08/02/99	Betagene 010134/0222
			UT 08/02/99	UT 010134/0228
UTSD:562	09/374,453	08/13/99	09/30/99	010278/0271
UTSD:573	09/409,604	09/30/99	02/15/00	010627/0781
UTSD:574	09/410,416	10/01/99	05/08/00	010798/0186
UTSD:576	5,976,803	11/02/99	11/12/98	009588/0627
UTSD:577	6,017,962	01/25/00	04/17/97	008520/0793
UTSD:578-1	08/943,936	09/26/97	11/25/96	008244/0183
UTSD:596	09/460,292	12/10/99	05/22/00	010853/0113
UTSD:597	6,211,339	04/03/01	09/20/96	008150/0674
UTSD:602	09/396,985	09/15/99	11/26/99	010439/0656
UTSD:622	5,880,425	03/09/99	10/02/97	008747/0200
UTSD:656	09/396,492	09/14/99	04/14/97	008441/0552
UTSD:681	09/448,330	11/23/99	06/26/95	007524/0514
UTSD:1265	5,846,742	12/08/98	09/11/95	007628/0684

I hereby revoke all power of attorney heretofore given and hereby appoint:

Louis T. Pirkey, Reg. No. 22,393; Richard J. Groos, Reg. No. 32,231; David L. Parker, Reg. No. 32,165; William G. Barber, Reg. No. 33,154; David D. Bahler, Reg. No. 30,932; Stephen D. Dellett, Reg. No. 32,564; Michael S. Metteauer, Reg. No. 34,875; John J. Bruckner, Reg. No. 35,816; Mark B. Wilson, Reg. No. 37,259; Steven L. Highlander, Reg. No. 37,642; Erik R. Nordstrom, Reg. No. 39,792; Teresa J. Schultz, Reg. No. 40,526; Stephen P. Meleen, Reg. No. 40,724; Robert E. Hanson, Reg. No. 42,628; Michael C. Barrett, Reg. No. 44,523; Mark T. Garrett, Reg. No. 44,699; Gina N. Shishima, Reg. No. 45,104; and Matthew Bellinger, Reg. No. 46,547;

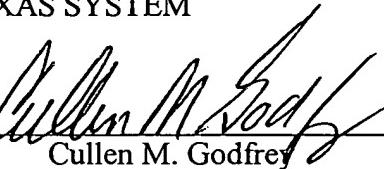
as the principal attorneys or agents, with full power of substitution, association, and revocation to prosecute said applications, to transact all business in the Patent and Trademark Office connected therewith, and to receive the letters patent therefor.

Please direct all future communications regarding these applications as follows:

Steven L. Highlander  
FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
512-536-3184

ASSIGNEE:

BOARD OF REGENTS, THE UNIVERSITY  
OF TEXAS SYSTEM

By:   
Name: Cullen M. Godfrey  
Title: Vice Chancellor and General  
Counsel

Date: April 13, 2001